

1887-059 Chancery Causes: William P. Wood vs. Admx. of James B. Burnett oc
Lee Co

Cecil

CA-Debt
T-Property

To the Honorable John A. Kelly Judge
of the Circuit Court of Lee County Va.

Humbly complaining your orator
William P. Wood would respectfully show
to your Honor that one James B. Burnett
lately departed this life intestate, that ^{at} his
death he was possessed of a small personal
estate and a lot or parcel of land situ-
ated some two miles west of Foursville contain-
ing about $1\frac{3}{4}$ acres, on which ~~there~~ is erected
a good store and dwelling house. Said
Burnett left at his death a widow, Nancy
J. Burnett to whom letters of administra-
tion on his husband's estate have been
granted. Your orator will further state
to your Honor that the said James B. Bur-
nett left no other heirs in said County of
Lee but he has been informed that he
has children by a former wife who live
somewhere in the eastern part of the
state where said Burnett resided be-
fore he came to this County but as to this
fact your orator has no certain know-
ledge, the other heirs of the said Burnett
except his said widow are unknown
to your orator. Your orator will now
show to your Honor that the said Bur-
nett was at the time of his death and
for some years preceding that event

had been engaged in the mercantile business. and that he obtained his goods from your orator on Commission, that is your orator furnished the said Burnett with his goods and allowed him a certain Commission for selling them. and at the time of his death he had on hand a small stock of goods amounting in value to the sum of \$285.32 There were taken charge of ^{by your orator} ~~them~~, and placed to the credit of the said Burnett and he owed your orator in addition thereto or after said sum had been deducted from his account the sum ^{said account is here filed as part hereof marked (A.)} of \$293.83. The personal estate of the said Burnett is wholly inadequate to pay said debt, and the object of this bill is to subject the real estate above referred to to the payment thereof. The said Nancy J. Burnett the widow of the said James B. Burnett is entitled to dower in said real estate but she is willing that the same may be sold and she compensated out of said sale for her dower. The said Burnett at his death owed no other debts unless it was a small doctor bill and his burial expenses.

The object therefore of this bill is to ^{have} the administration account of the said Nancy J. Burnett Administrator of

James Burnett deceased settled
his Creditors concerned and the amt
of his indebtedness, ascertained to sub-
ject ~~said~~ house and lot to sale and
the proceeds thereof after compensa-
tion his widow for her ^{be} ~~decease~~ applied
to the payment of such debts as said
Decedent may be found to owe and
being without an adequate remedy
at law he prays your Honors Court
of chancery to take cognizance of
his cause and to this end he makes
Nancy J. Burnett widow and Ad-
ministratrix of James Burnett deceased
and the unknown heirs of the said
Burnett the parties defendant to
this bill and he prays that order of
publication be made against
the ~~unknown~~ heirs of the said
James B. Burnett and they required
to come forward and defend ~~as such~~
interest as they have in said estate
That the said Nancy J. Burnett
as widow be required to answer the
several allegations of the bill on
her oath That upon a final hearing
the Creditors be concerned their
debts ascertained the administratrix
account of said administratrix settled

C 7.56
 Cour. 5.00
 Dr. 5.00
 S 5.00
 + 15.00
 \$33.06
 Estimate 6.00
 \$39.06
 Com. 15.00
 15.00

C 2.13 yet due

1 7/16 a

Wm P Wood R.D. & Co

78 Bill in chq

Nancy Burnett Humphreys et al

1885 Jan. Bill Filed

" Feb. Sp. Ext. on Home

Deft. & O. Miss as to then

" & O. P. as to unknown

Defts.

Mr. D. McConfer as to
Home Deft. O. P. Comp
etd as to unknown
parties and cause
set for hearing.

1885 Mr. Deerce & Contd

" Aug. Deerce & Contd

1886 Mr. Deerce & Continued

Wood & P. R.

See other for
Wm P Wood

the real estate sold the widow's share
 out of said sale for her share and the re-
 due applied to the payment of your arduous debt
 and such other debt as you owed by said
 descent, and for general relief
 May you issue, &c.

Nathaniel Brewster
 for Plaintiff.

Wm. D. Wood

vs
Nancy J. Burnett et al

Plff } In Chancery.
Defts }

This cause came on again this day to be further heard upon the papers formerly read in the cause, and the report of James W. Orr Commissioner, filed in the cause Nov. 16th 1887, and was argued by Counsel, and said report having been filed the time required by law, and being unexcepted to, is confirmed. And it appearing from said report that the purchaser who is the plaintiff in this cause, is the owner of all the debts reported in said cause against the estate of James B. Burnett deceased, except the sum of \$^{48.65}~~57.75~~ the value of the ^{debt interest of the} widow of said decedent in the house & lot and Store house sold in the cause by Comr. Orr, and that he has paid to said widow the said sum of \$^{48.65}~~57.75~~ and its interest, as shown by her receipt to said plaintiff, filed with said Comr.'s report and is therefore entitled to retain ^{the residue of} the purchase price in his own hands; and said Commissioner, having executed to the plaintiff as purchaser of said lot of land & Store house and dwelling house a deed for the same, which is filed with his said report, On consideration of all which it is adjudged, ordered and decreed that said deed be confirmed, and that said purchaser pay to said Commissioner \$5.00 for the execution of said deed and he has leave to withdraw the

Wm P Wood

vs { Decree

Nancy J Burnett et al
Entered page 18

Enter this decree

H. L. K. M.

Mar 30 1887.

cause from the papers of this cause and the
cause is stricken from the docket.

Wm P Wood

Plff

In chy.

against
Nancy J Burnett Admrx etals. Defts

This cause came on again to be heard upon the papers formerly read in the cause and the report of James W Orr, Commissioner, of the sale of the lot of land, Store house and dwelling house thereon in the bill mentioned, filed March 12th 1886, and was argued by Counsel, and said report having been filed in the cause the time required by law, and being unexcepted to is confirmed, And it is ordered that said Commissioner pay out, to those entitled, the costs in his hands, and that he proceed, as soon as the same falls due, to collect the purchase money for said property, and when collected he will first pay to Nancy J Burnett the widow of the decedent James B Burnett the sum of \$48.65, with interest thereon from the 18th day of January 1886, until paid, the same being the amount to which she is entitled out of the proceeds of the sale of said property, on account of her dower interest therein, and which ^{dower} she is willing to accept in lieu of her said, as appears from the report of said Comr Orr, and the residue he will pay over to the parties entitled as shown by Commissioner Hyatt's report ~~plaintiff and allow him to retain the same in his hands on his debt against said James B Burnett decd.~~ ^{in the cause on their debts} Said Commissioner will

Wm P Wood

vs { Decree No 3.
}

Nancy J Burnett et als

Entered page 49-7

J. A. S. Hyatt, C. C.

Enter this Decree

J. A. K.

Mar 25 1886.

when the purchase money is fully paid
and dismissed as aforesaid, convey with
covenant of special warranty, to the pur-
chaser, the said real estate, and report his
action to this Court and the cause is continued.

William P Wood

Pltff

vs

Nancy J Burnett Sumr. Deft.

} In chancery

This cause came on again this day to be heard upon the papers heretofore read, the report of John A. G. Hyatt special Commissioner filed on the 1st day of August 1885 and was argued by counsel and it appearing that said report has been filed for more than 10 days before the first day of this term, and that no exception has been filed thereto, said report is in all things confirmed, on consideration whereof it is adjudged ordered and decreed that the parties mentioned in said report and statement

X filed therewith each recover against the said Nancy Burnett Administratrix of James Burnett deceased their several debts as shown in said statement "X" filed with said report with interest as shown therein, and unless some one for her pay the said several sums reported to be due the parties mentioned in said report and statement the amounts reported due them ^{within} ^{days from the rising of this court} Then James H Orr who is appointed a Commissioner for the purpose

will proceed on some court day at the front door
of the court house of this County, to sell to the
highest bidder on a credit of one, two & three
years the lot of land store ^{house} & dwelling house
thereon, in the bill mentioned. Said Commissioner
before selling will advertise the time, place
and terms of sale by written advertisement
at the front door of the court house of this County
and in the vicinity of said real estate for
at least 30 days, and will require the costs
of this suit & expense of sale paid down &
for the residue will take bonds with security
from the purchaser with interest from date.
But before acting under this decree said
Commissioner, will execute bond before
the Clerk of this Court in the penalty of
\$650⁰⁰ conditioned to faithfully perform and
discharge the duties of Commissioner in this
Said Commissioner will report his action to a
future term of this Court, and the cause is
continued.

Wm D Wood

vs Decree for Sale

Nancy Burnett et al

Entered \$ 473

J. B. Gibson, Dep.

Enter this decree.
Aug 29th 1885.
J. B. Gibson

Wm. P. Wood

Plff

against

In Chancery.

Nancy J. Burnett ~~Admin~~ & ~~etc~~ Defts

This cause came on this day to be heard upon the bill of the plaintiff taken for confessed against the same defendant, and upon the order of publication posted and published as the law directs against the unknown heirs of James B. Burnett deceased, and was argued by counsel. On consideration thereof it is adjudged, ordered and decreed that J. A. G. Hyatt who is appointed a commissioner for the purpose, do take an account of the debts against the estate of James B. Burnett deceased, and that he settle and adjust the administration account of Nancy J. Burnett Administratrix of said estate and ascertain what amount will be in her hands to ^{be} applied to the payment of said debts, after the payment of taxes, funeral expenses, expenses of administration &c, and whether or not it will be necessary to sell the real estate of the decedent to pay and satisfy the indebtedness of his estate. Said commissioner will also ascertain, and report, ~~also~~ in addition to the other matters herein referred to him, who are the heirs of the said James B. Burnett deceased and their whereabouts, if the same can be ascertained, and should he ascertain

Wm P Wood

vs { Decree No 1.

¹³
Nancy J Burnett ~~Admrx~~
et als.

March Term 1883-

Entered O.B. Page

444.

JR Gibson D.C.

Enter this decree.

J. A. K.

Mar 28th 1885.

their respective parts. He will communicate to them,
by letter, the fact of this proceeding. Said
Commissioner will report his action to the
next term of this court. And the Cause is continued.

Wm. P. Wood

Deft.

vs

In Chancery

Nancy J. Burnett Adm^r ~~of the~~ ^{estate of}

The deposition of P. B. Cecil
taken at the Clerk's office of Lee Circuit
Court on the 1st Aug 1886. the time
of taking an account in the above
styled Cause -

Said P. B. Cecil being duly sworn
deposes and says.

I know the fact, that James B.
Burnett was at the time of his
death and had been for about
one year. engaged in the business
of merchandising in a small way.
I further know that the said Bur-
nett purchased the goods used
by him or a large part thereof
from Wm. P. Wood, I was present
when Mr. Burnett purchased his
first bill of goods, and as I was
at the time working for Mr. Wood
I helped fill said bill, it amounted
as I recollect to about \$180.⁰⁰ (I see
by an inspection of Mr. Wood's book which
is in part my own hand writing that
said bill amounted to \$183. Said Bill
was purchased on a credit. In a

conversation with Mr Burnett at
that time he told me that Mr Wood
was to furnish the goods and that
Mr Burnett was to sell them on
commission, getting for his trouble
after accounting for the goods one
half of the profits. I saw him get
goods from Mr Woods several
times afterwards. I have dealt
with Mr Wood for several years
as a merchant, and have
had several settlements with
him. I always found his books
correct in all particulars, both
as to charges and credits. I have
also been present when he has
made settlements with other
customers, and I never heard
any of his accounts disputed.
I have this morning compared
Mr Woods account filed with
his bill marked A and found
it corresponds exactly with his
book. I was present about the 1st
of Decr 1884 when Mr Burnett
was making a small payment
to Mr Wood. he then spoke of
his indebtedness to Mr Woods

and promised to pay money
soon, P. B. Cecil,

Subscribed & sworn to before me by
P. B. Cecil Aug. 1st 1885.

J. A. Hyatt Comm.

Wm. D. Wood

no 3 Depo.

Nancy J. Burnett

(P)

I, Wm P Wood, do hereby certify that
the children and heirs at law of James
B. Burnett ^{decd} and there whereabouts are
unknown. Given under my hand
this 26th day of January 1885.

W. P. Wood
Subscribed and sworn to before me Jan 26th 1885.
J. A. Bryant C. C.

Wm D Wood

vs { affidavit

Nancy J. Burnett

Virginia Lee County, To wit

I William P Wood do solemnly swear that the foregoing account presented by me against James B Burnett is correct, just and true That all credits to which the said Burnett was entitled are given on said account and that the balance of \$293.88 as shown in said account is still due to him, as of the date shown in said account. So help me God,

W. P. Wood

Subscribed and sworn to before me
Aug. 1st 1885 - J. A. Hyatt C. C.

Wm. D. Wood .
vs 3 Affidavit
3 proving acct
Nancy J. Bennett

(4)

Wm. P. Wood

Deft

In Chancery

Nancy J. Burnett Adm^r et al Defts

To the Hon. John A. Kelly Judge &c

The undersigned having been appointed and directed by a decree rendered at the March Term 1885: in the above styled cause, "to settle the Administration account of Nancy J. Burnett Adm^r of the Estate of James B. Burnett dec'd, to take an account of the indebtedness of said Estate, and to ascertain what amount will remain in Adm^r's hands after payment of debts, funeral expenses, costs of Administration &c &c, and whether or not it will be necessary to sell the real Estate mentioned in said bill to pay the indebtedness &c &c,"

Begs leave to report that after advertising and giving notice to the parties known, and using all available means to learn of the whereabouts of the unknown heirs or children of the said Jas. B. Burnett to no avail, I proceeded on the 1st day of August 1885 - at my office in the town of Jamesville to perform the duties

required of me by said decree.

I stated said Court account as will be seen by Statement herewith filed marked "A.B.", which resulted in finding that but a very small sum came to the Court, hand and that she had overpaid the same by the sum of \$1.44, no commission being allowed; and by reference to Evidence of debts marked X it will be seen, that said Estate is in debt to the extent of \$326.⁰⁰, which items are satisfactorily, proven to your Court, as is evidenced by affidavits and depositions herewith filed marked Y & P; and from these enquiries it is very evident that the real Estate mentioned in said bill will have to be sold to pay said indebtedness, a small fund will arise from the renting of said real estate which may be applied to the liquidation of said indebtedness, Mr. J. Wood the Plaintiff in this cause assumed control of said real Estate and rented the same at the rates of 40¢ per annum

to be paid quarterly with the understanding
that said renting was to cease at the
end of any quarter, said Wood could
properly be required to cr. his account
with the amount he may realize from
said renting.

Respectfully submitted
J. A. Hyatt Court

Mr P Wood
Course Report
no 3 No 1
Nancy J. Burnett Am et al.

Filed Aug 1st 1885.
J. A. Hyatt ce

Course fee \$5.00

Nancy J. Burnett Administratrix of
the Estate of James B. Burchett decd.

1885	To the Creditors of said Estate	Dr.	
Jan 30	To this sum amt sale Bill Sw Ex. "A"	\$5.21	
1	By " " paid J. R. Gibson fee Bill	\$2.45	
2	" " " " J. P. Wynn his acct.	4.20	
	This sum overpaid to square		1.44
		\$6.65	\$6.65

1885			
Jan 30	This sum overpaid by Admin	\$1.44	

The Store house & lot has been rented
by Wm. P. Wood to John Fleenor & Son
commencing on 1st Feby 1885: at the
rates of 40¢ per year. to be paid
quarterly and the renting to end
when desired at the end of any
quarter.

Nancy J. Burnett
Adm^y, Jas. J. Burnett
Statement of her acct

(A.B.)

1885	Sale Bill of J. B. Burnett <u>and</u>		
Jan 30 th	A. P. Wynn.	1 Drill	35
	W. P. Wood	1 Drill	15
	Harry Fleenor.	1 Hand A.C.	5
	A. P. Wynn	1 Square	25
	W. P. Wood.	1 Large Chisel	40
	Sary Martin	1 Small Chisel	45
	W. P. Wood	1 Jack Hammer	30
	J. B. Poter	1 Pick & Hammer	30
	Harry Fleenor.	2 Kegs.	5
	James Wells.	1 Looking Glass	35
	Wm Goings	1 Bot Shoe last	10
	J. B. Poter	1 Sewing Machine	36
	Sarah Good.	1 Clock.	150
	Nancy J. Burnett	1 Chert	35
	Nancy J. Burnett	1 Little Table.	25
			<u>\$52.1</u>

Nancy J. Burnett, Administrator

James B. Burchett Est
Late Bill
\$5.21

"A."

Jamsville Va 1886
Mr J. B. Burnett To

S. H. Thomas M.D. Sr

For services rendered to J. B. Burnett ~~for~~

Nov 30 th	To	1 visit	"	\$1.25-
Dec 1 st	To	1	"	1.25-
" 2	To	1	"	1.25-
" 3	To	1	"	1.25-
" 5	To	1	"	1.25-
" 7	To	1	"	1.25-
" 9	To	1	"	1.25-
" 11	To	1	"	1.25-
" 14	To	1	"	1.25-
" 16	To	1	"	1.25-
" 23	To	1	"	1.25-
" 27	To	1	"	1.25-
				<u>\$15.00</u>

for by 2 1/2 lb sugar ^{10ct} 3 1/2 lb Coffee ³ \$5.9

\$14.41

Virginia Lee County To wit:
This day S. H. Thomas personally appeared before me
and made oath that the above acct against J. B.
Burnett ^{for \$14.41} is justly due him and that the services
were actually rendered. Given under my hand
this March 25th 1886. H. C. Jorlyn J. P.

Virginia Lee County to wit:

This day John H. Fleenor personally appeared before me and made oath that he knows that Dr L. H. Thomas, visited J. B. Burnett on several occasions, and to the best of his belief the within account is just and is unpaid. Given under my hand this 25th day of March 1885. H. C. Joslyn J. P.

Assigned to
J. A. Stewart son

J. B. Burnett in debt
with J. A. Stewart son

(1)

1885.

Nancy J. Burnett. Admrx of Jas Burnett decd,
To the Clk. Lee County Court

Jan	20 th	Entering order appointing you bond oath &c.	Dr.	1.00
		Pay on Bonds 1.00		1.00
"	28	Recording Agr. Bill 208 Sale Bill 25 th		45
			\$	2.45

John R. Gibson clerk.

W. J. Burnett
\$2.45-
D

Paid by W. P. Wood, Aug 1st 1886-

J. R. Gibson cler

Feb 5th 1885 Received of W. P. Wood
\$4 30 ^(Nancy J. Burnett Adm'r) Four dollars & $\frac{30}{100}$ Balance of \$5.00
for waiting on James B Burnett decd

J. P. Wynn

Lee County to wit: This day Wm P. Wood personally
appeared before me, and made oath in due form
that the above account is just the labor was
performed as set out, and the same was paid
for Nancy J. Burnett Adm'r. by him to said Wynn
J Aug^r 1885. J. C. Hyatt C

A. J. Burnett
Amount to

To { acct
4.20

J. P. Myrum

2

Wm P Wood

Plff

against

Nancy J Burnett Admr & etals. Defts

In chy.

The undersigned Commissioner in this cause respectfully reports, that having posted the notices required by the decree rendered in this cause at the August term 1885, he offered for sale, at the January term 1886, of the County Court of Lee County, at the front door of the Court house of said County, and on the first day of said term the lot of land, ^{and} store house & dwelling house thereon in the bill ^{& said decree} mentioned, on the terms set forth in said decree, and the plaintiff, Wm P Wood, being the highest bidder became the purchaser of said lot, store house & dwelling house, at the price of Three hundred and one dollars (\$301.00).

The said purchaser thereupon paid to your Commissioner \$36.00 on the \$54.06. The costs of suit and commissions ^{& is to pay the parties entitled to the residue of said costs} on sale, and for the residue, \$246.94 he executed his hand with J. A. G. Hyatt,

security to your Commissioner, to be paid in one, two and three years, in equal installments, with interest from date. The said bond is filed with this report marked "A". Your Commissioner recommends a confirmation of the sale, as the property has brought a very fair price.

The defendant Nancy J Burnett, as widow of the decedent James B Burnett, is entitled to dower in the said house and lot, but was willing that the property should be sold and is willing to accept the value of her dower interest, out of the proceeds of the sale, in discharge of her claim of dower. Your

Commissioner has ascertained, by calculation, upon
the basis of the table, ^{table} laid down by the Legislature
of Va. for the purpose of computing the present
value of ~~the~~ ^a life estate or annuity due a person
of a given age. That the said life estate is
worth \$98.63, taking the age of the said widow
to be sixty one years, which seems to be her
age according to the census report of this County
made in the year 1880. She will therefore be en-
titled to that sum out of the proceeds of said
sale, which we suppose should be paid her,
out of the first money realized from said sale,
after the payment of costs and commissions, together
with the interest thereon from the day of sale until
paid. Respectfully submitted.

To

John A Kelly, Judge of Court.

James W Orr, Comr.

Wm P Wood

vs { Report of Sale

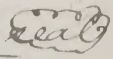
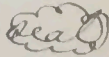
Nancy J Burnett et als.

Filed Nov. 12th 1886.

J A Hyatt cc

I promise & bind myself heirs &c to pay to
James W Orr, Commissioner, Two hundred &
forty Six & $\frac{94}{100}$ dollars for Value received of
him, the same to be paid in one, two and
three years, in equal installments, with
interest from date. And I hereby waive
the benefit of my homestead exemption as
to this debt. Witness my hand & seal.

January 18th 1886.

W. P. Wood 
J A Hyatt seanty 

Wm P Woodbal

Lo { total \$246.94

Gal Worr. Cour.

Am O Wood

Deft

In Chancery.

Nancy J Burnett et als

Defts

The undersigned Court in this cause would respectfully report, that pursuant to the decree entered in the cause at the March term 1886, he has paid out the costs to those entitled there to so far as the purchaser paid to him of the costs, and the plaintiff who was the purchaser at said sale, being the owner of the debts reported in said cause, and having paid to the defendant Nancy J Burnett widow of James B Burnett decd. Fifty one dollars & ten cents, the same being the amount due her & its interest, on account of her dower interest in the house & lot sold by your Court. Your Court has executed a deed to said land (house & lot & store house) to said purchaser and files the same herewith as part hereof marked "A" for confirmation.

The receipt of said Nancy J Burnett for the said \$51.10 is herewith filed marked "B".

Respectfully submitted.

James W Orr, Court.

Wm P Wood
vs $\frac{1}{2}$ Comrs Report
Nancy J Burnett et al.
Filed Apr. 15th 1887.
J. A. Syatt & Co

Received of James W Orr Commissioner
in the Chancery Cause of Wm P Wood
against myself as Admr & of the estate
of James B Burnett, ^{decd} & others, pending in
the Circuit Court of Lee County Virginia,
by the hands of said Wood, Fifty one
Dollars & ten cents, the amount with
its interest decreed to me in said Cause
as due me on account of my dower
interest in the real estate sold by the
said Commissioner in said Cause.
This November 30th 1886.

Vancey ^{her} X Burnett
mark

Witness

Vance J Burnett

To Credit \$57.10

James W Orr, Comr.

"B"

Vance Burnett.

Signed in my presence

W W Coleman

J. B. Burnett
To W. P. Wood

Pridemore va.

1884

Dr

mech.	To Bill mdr. Rendel	183 00
" 11	To Bill " "	5 53
" 28	To " " "	2 78
apr 16	To " " "	27 42
" 22.	To " " "	3 46
May 12.	To " " "	25
" 20	To " " "	44 78
" 24	To " " "	116 37
June 25	To " " "	35 22
July 12	To " " "	58
" 26	To " " "	9 58
aug 18	To " " "	7 60
sept. 1	To " " "	130 80
Oct 3	To " " "	63 81
" 12	To " " "	3 00
" 27	To " " "	5 25
" "	To " " "	24 45
" "	To " " "	3 32
Dec. 31	To " " "	5 44
1885		
Jan 2	To " " "	90
" 9	To " " "	15 84
" 10	To Coffin & Case	10 00
	To Hauling 3 loads goods @ 2.00	6.00
"	To one bed pan	1.50

\$ 766 88

By amt credits on other side deducted

413 05

Balance due - at his death -

\$ 293.83

Wm. J. Wood

James B. Burnett.

11

1884	The within account is subject to the following credits.		
June 19	by cash & produce.		\$ 22.82
July 22	" "		15.00
Aug 19	" "		10.00
Sept 8	" Tobacco, feathers &c		17.36
Oct 3	" Cash & shingles		17.82
Oct 27	" "		7.00
Nov 22	" " & Produce		9.58
Dec 8	" "		8.64
1885-			
Jan 1	" 1 Doz balls of ash returned		.90
" 9	" 18 lbs Tobacco	"	9.00
" 13	" 1 Lantern	"	.91
" "	" 1 Lamp	"	.62
" 16	" 6 ³ / ₄ bus wheat @ 90 cts.		6.08
" 13	" Invoice of goods returned & sold by me to Fleenor & Son		285.32
			\$ 413.05

List of debts against The Estate of
James B. Burchett decd.

1884

Adm't Decr.

To this sum due Dr. J. H. Thomas for			
1	medical services. - (Bal)	\$14.41	
	Interest from Jan 1 st 1885 to Sept 1 st 1885-		57
2	amt, due A. H. Martin, A. P. Myers + H. C. Jaslyn apprs.	\$14.98	
		3.00	
3	" " Alex. M. Ely Comr. transfer fee	1.00	
4	" " Wm. P. Wood his acct,	\$293.83	
	" Interest from Jan 1 st to Sept 1 st 1885-	11.75	
	" over paid by Adm'r. See statement	1.44	
		\$326.00	

Wm. D. Wood
Evidence of
no debts
N. J. Burnett's Army

(X)

Recd of Wm P Wood, Three dollars the amount
allowed by Court Hyatt in his report in the
Chy cause of said Wood vs Nancy J Burnett
& other, as due the appraisers of the estate of
James B Burnett decd. Mr 7th 1887.

Henry C. Jorlyn

H. C. Jacyn affixer

Loz Recept \$3.00

Wm D Wood.

Isaac Weston & W. Worley
~~On the~~ The bill describes 3 tracts of land, embraced
in a deed to H. J. M. The Milbourn, The Pendergost, The But.
tracts. Mr. Hyatt in his report designates these lands.
Then Mr. Hyatt is ordered to rent the Milbourn & Pendergost
lands.

He reports he cannot rent.

Then decree directs him to sell the lands ordered to
be rented. i. e. The Milb. & Pen. l. . He reports that he sold
the life estate of James W., in the lands to be sold.

The deed of the parties to Judge M. gives the metes
& bounds of Pendergost & Milbourn

The land sold is the life estate of James Worley in
the Milbourn tract and the Pen. tract and no more. Very definite

The sale will be Conf. if no other obj.
but int will not be charged on the purchase
from W. at which Co. ought to have let
the title run.

Worley and Weston

Judges memo.

Know all men by these presents
that James W. Orr and
are held and firmly bound
unto the Commonwealth of Virginia in the
just and full sum of Six Hundred and Fifty
Dollars, for the prompt payment thereof well
and truly to be made unto the said Cometh,
we each bind ourselves Heirs &c, and we
as to this obligation hereby waive our Home-
stead exemptions, witness our hands and
seal this the day of January 1886.

The conditions of the above obligation
is such that whereas the above bound James
W. Orr, was, by a decree rendered in the
Chancery Cause of Jm. D. Wood vs. Nancy J.
Burnett, at the August Term 1885. Appointed
a Comr. to make sale of certain lands & property
mentioned in said Bill. We therefore
should the said Comr. faithfully perform
the duties assigned him and justly
and truly pay over and account
for such sums of money as he may
receive as such Comr. then this
obligation to be void otherwise to
remain in full force & virtue.

James W. Orr. Seal
Charles A. Russell Seal

Wm J. Wood
4 Courts
us 3 Bond

Nancy J. Bennett et al

Filed Jan'y 1886
J. A. Hyatt et al

Olinger vs Slump Ejectment
Plffs. Costs - Clerk \$36.98

Sheriff Miles .50

Cost, Reasor .50

Flaunay Sheriff 4.40

Gilly " 1.00

Ewing " 1.00

Surveyor. 1st " 10.24

Chain Carriers 2.50

Surveyor 2nd " 24.65

Witnesses Total. - 57.08

\$138.85

Alinger
Costs

\$138.85

Virginia. In vacation of the Circuit Court of
Lee county,
Wm P Wood

Plff
against
Nancy J Burnett Adm^r of ~~the estate~~ ^{of James Burnett decd.} ~~his heirs~~ Def^s
In chancery.

The object of this suit is to Comence the Creditors of the estate of James Burnett decd, and ascertain the indelitedness of said estate, and to ~~subject to the payment~~ settle the administration account of the defendant, and to subject to the payment of said debts the real estate of the decedent. And it appearing from an affidavit filed in the cause, that the children and heirs of James Burnett deceased and their whereabouts are unknown, it is therefore ordered that they appear here within one month after due publication of this order and do what is necessary to protect their interests in this suit.

Copy Lest.
J A S Hyatt C.C.

Mr D Wood
Order Rule
24 3
Navy J. Burnett & Sons.

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon

*Nancy J. Burnett Administratrix
of James B. Burnett decd, and the unknown
Children & heirs at law of the said James
B. Burnett deceased.*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in
February next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against
them, by

William P. Wood

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,
this *23rd* day of *January*, 188*5*, in the 10 *7* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

Wm D Wood ²²⁸⁶

us } Spain Chcy

Nancy J. Burnett Adm

To February Rules 1885

Execution

J. H. Ewing Esq
for R. D. Flannery & Co.

Publisher's Certificate.

JONESVILLE, VA.,

Feb 20th, 188*5*.

I, *A M Gosius*, Publisher of the LEE COUNTY SUN,
a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed
Chancery Order was published four successive weeks in said newspaper, publication ending
Feb 20th, 188*5*.

A M Gosius, Publisher.

VIRGINIA—In the Clerk's office of the
Circuit Court of Lee County, during
vacation, on the 23d day of January, 1885.

IN CHANCERY.

Wm P Wood, Plaintiff, verses Nancy J
Burnett, Admr. of the estate of James
Burnett, dec'd. and his heirs, Defts.

The object of this suit is to have the ad-
ministration account of the said adminis-
tratrix settled, and to convene the credit-
ors of the estate of James B Burnett, de-
ceased, and ascertain the indebtedness of
said estate, and to subject to the payment
of said debts the real estate of the dece-
dent; and it appearing from an affidavit
filed in this cause that the children and
heirs of James B Burnett, deceased, and
their whereabouts are unknown: It is
therefore ordered, that they appear here
within one month after due publication of
this order and do what may be necessary
to protect their interest in this suit.

A copy—teste: J. A. G. HYATT, C. C.
R., D. & ORR, P. Q.

Pub. Fee \$5.00

* Mrs. J. Wood
vs $\frac{1}{2}$ Pub. corp

Nancy J. Burnett

Pub fee off